

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:07CR3065
)	
v.)	
)	
BRANDON SAYAVONG,)	ORDER ON OBJECTIONS TO PSI
)	REPORT
Defendant.)	
_____)	

The defendant has filed objections to the Revised Presentence Investigation Report paragraphs 20, 22, 23, 34 and 46 regarding his criminal history, his receiving a two-level enhancement for possession of a dangerous weapon, and statements by Saysavanh Polo, Saiyavongsa in paragraph 20 about selling a gold Honda Accord for methamphetamine, there being a safe at the defendant's shop and observing a handgun and an assault rifle at the shop. The defendant also objects to paragraph 22 regarding observing a gun or guns and paragraph 23 regarding information by Ramon Schachta regarding a closet containing guns.

The defendant further objects to a failure to apply the safety valve provision.

These objections will require an evidentiary hearing and that hearing shall be held at the time of the sentencing, which is now scheduled for September 3, 2008, at 1:30 p.m. Counsel must comply with paragraph 6 of the Order on Sentencing Schedule, issued by Magistrate Judge Piester on June 16, 2008. The operative date by that order for such compliance was August 18, 2008, but that time has come and gone and, if counsel want to present any evidence on the subject, compliance with the paragraph 6 must be completed on or before August 29, 2008, unless request for an extension of time is filed.

Dated August 25, 2008.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge